REMARKS:

In accordance with the following, amendments and status identifiers of the claims are corrected herein.

Applicants would like to thank the Examiner for taking the time to extensively review the previous response for accuracy and point out errors. Applicants have thoroughly reviewed this response and corrected any errors that the Examiner may perceive non-compliant.

For convenience of the Examiner, arguments and amendments presented in the September 27, 2006 Amendment are reproduced herein. Further, the non-elected claims in response to the Restriction Requirement mailed December 8, 2006 are indicated as being withdrawn. Applicants respectfully request that the Examiner disregard the September 27, 2006 Amendment and consider this amendment.

In the interest of avoiding delay in prosecution of this Application, Applicants respectfully request that the Examiner contact the undersigned to address any potential errors so that the same can be corrected as soon as possible.

<p style="text-align:center">*   *   *   *   *   *</p>

In the Office Action mailed February 25, 2005, claims 19, 29, 61, 64, and 109 were objected to and claims 1-18, 20-28, 30-38, 43-60, 62, 63, 65-83, 88-108, 110-128 and 133-135 were rejected.

In response to the Restriction Requirement mailed December 8, 2006, claims 19, 21-25, 29, 31-33, 38, 61, 64, 66-70, 74, 76-78, 83, 109, 111-115, 121-123 and 128 were elected.

Claims 19, 22-25, 29, 31, 33, 61, 64, 67-70, 74, 76, 78, 109, 112-115, 121 and 123 are amended herein, claims 1-18, 20, 39-60, 62, 63, 65, 84-108, 110, 119, and 129-135 are cancelled without prejudice, and claims 26-28, 30, 34-37, 71-73, 75, 79-82, 116-118, 120 and 124-127 are withdrawn. No new matter is presented.

Thus, claims 19, 21-25, 29, 31-33, 38, 61, 64, 66-70, 74, 76-78, 83, 109, 111-115, 121-123 and 128 are pending and under consideration. The rejections are traversed below.

ALLOWABLE SUBJECT MATTER:

At page 12 of the outstanding Office Action, the Examiner indicates that claims 19, 29, 61, 64, and 109 would be allowable if rewritten in independent form. Claims 19, 29, 61, 64, and 109 are amended herein to be in independent form and include features of intervening claims.

Therefore, claims 19, 29, 61, 64, and 109 are allowable.

OBJECTIONS UNDER 35 U.S.C. §112¶2:

Claims 5, 25, 50, 70 and 115 were rejected under 35 U.S.C. §112¶2 as being indefinite. As mentioned above, claims 5 and 50 are cancelled herein without prejudice. Claims 25, 70 and 115 are amended herein to comply with the requirements of 35 U.S.C. §112¶2.

Therefore, withdrawal of the objection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 102(e):

Claims 1-4, 6-9, 11-18, 20-24, 26-28, 30-38, 43-49, 51-54, 56-60, 62-63, 65-69, 71-81, 83, 88-108, 110-114, 116-126, 128 and 133-135 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,615,408 (Kaiser). As mentioned above, claims 26-28, 30, 34-37, 71-73, 75, 79-82, 116-118, 120 and 124-127 are withdrawn, and claims 1-18, 20, 39-60, 62, 63, 65, 84-108, 110, 119, and 129-135 are cancelled.

Kaiser provides action selections to an image referencing a product in a video production. That is, Kaiser selects contextually appropriate segments to provide an interactive video to a user based on selection of the user (see, col. 2, lines 35-52 and col. 5, lines 39-44). For example, a user selects a product within a video production so that the system tracks the selected product through multiple frames of the video production (see, col. 10, lines 20-41), or executes one of the selectable actions, such as promotion and purchase, to the selected product (see, FIGS. 8 and 9).

In contrast, independent claim 21 recites, "a communication unit transmitting the position on the motion picture, upon receiving the pointing manipulation to a server including a unit recognizing an object in the motion picture receiving the pointing manipulation, and receiving, from said server, information on the object in the motion picture recognized by said server", where the recognizing of the object in the motion picture is done at the server. Further, as recited in independent claim 21, the control system of the present invention includes, "a processing unit executing a predetermined process related to the object recognized".

The claimed invention, for example, simplifies configurations and functions of clients by enabling information with respect to an object in the motion picture to be recognized by a server, thereby transmitting a result of the recognition to the clients. The present invention does not require that information needed for recognizing an object in a motion picture be sent to clients, and thus, reduces the amount of communication traffic.

Unlike Kaiser, recognition of an object according to the present invention is implemented at a remote server. On the other hand, in Kaiser, the functions of trigger zone/placement zone are constructed in the clients (see, col. 8, lines 1-30).

Applicants respectfully submit that independent claim 32, 66, 77 and 111 recite similar features as independent claim 21 and are patentably distinguishable for at least the same reasons.

Independent claims 38, 83, 122 and 128 also recite, "receiving information on the position where the pointing manipulation is effected on the motion picture from said display device", "recognizing the object in the motion picture receiving the pointing manipulation on the basis of the information received from said display device", "referring to an instruction related to the object" and "commanding said data distribution system to change over the data to be distributed in accordance with the instruction".

It is submitted that the independent claims are patentable over Kaiser.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over Kaiser. The dependent claims are also independently patentable. For example, as recited in claims 25, 70 and 115, "the first data is constructed with a predetermined data structure and the second data is embedded in a margin formed in the data structure". The Kaiser method does not teach or suggest a method and system of controlling "the first data constructed with a predetermined data structure and the second data is embedded in a margin formed in the data structure", as recited in claims 25, 70 and 115.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 10, 55, 82, 100 and 127 are being rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kaiser and U.S. Patent No. 6,847,969 (Mathai). As mentioned above, claims 10, 55 and 100 are cancelled, and claims 82 and 127 are withdrawn.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _07/02/2007_   By: _Temnit Afework_

Temnit Afework
Registration No. 58,202

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501